

REMARKS

In accordance with the foregoing, claims 1-4, 6 and 9 have been amended. Therefore, after entry of the foregoing claim amendments, claims 1-10 remain pending and under examination. No new matter is being presented, and approval of the amended claims is respectfully requested.

Rejections under 35 U.S.C. §103(a)

Claims 1 and 3-10 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Fernandez (U.S. Patent No. 6,590,602) in view of Murphy (U.S. 2004/0250285). Claim 2 stands rejected as being unpatentable over Fernandez in view of Murphy, and further in view of Eves (WO 01/97560).

Independent claim 1 recites an audio processing circuit capable of generating a monaural television audio signal from the left-channel signal and the right-channel signal of the television audio, outputting a monaural television audio using one of the left-channel and right-channel audio output units and outputting a telephone-received audio using the other audio output unit in the case of performing the telephone communication at the time of viewing or listening to the television.

The Examiner notes that Fernandez fails to teach or suggest the audio processing circuit as recited in claim 1. Hence, Murphy is cited as disclosing the foregoing features.

Murphy discloses a system of set top boxes that can conduct two-way communications with other set top boxes. Users can send text, audio, and/or video messages to other users, which can be outputted on a television monitor, for example. Audio can be formatted in several ways. For example, the audio of a new source can simply replace the current audio being played; or the audio of a new source can be “voiced over” the current audio being played (*e.g.*, by playing the new audio at a higher volume). (See Abstract and paragraph [0052]).

Alternatively, the audio of a new source and the current audio can be sent to specific audio channels. (See paragraph [0052]). According to this embodiment of Murphy, when considering a stereo configuration, an incoming audio message could be sent to the Left audio output, while the current audio signal would remain active on the Right audio output.

However, Murphy does not teach or suggest generating a *monaural* television audio signal from the left-channel signal and the right-channel signal of the television audio. In contrast, the

system of Murphy is capable of merely continuing the audio output of either the Left or Right output and using the other for the incoming audio message.

Applicant submits that merely continuing the audio output of either the Left or Right output is inferior to the present invention recited in claim 1, since the Right output, for example, may not include various sounds that were output at the Left output in a stereo configuration. If the incoming message is output using the Left output, various sounds of the original stereo output using both the Left and Right outputs may be lost.

Therefore, it is respectfully submitted that independent claim 1 patentably distinguishes over the cited references, alone or in combination. The pending dependent claims inherit the patentability of independent claim 1 and, thus, are submitted to be allowable for at least the foregoing reasons. It is further submitted that Fernandez and Eves, alone or in combination, fail to cure the deficiencies of the cited art described herein.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue. If it is determined that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

In the event the U.S. Patent and Trademark office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing docket no. 278542008800. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

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Respectfully submitted,

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